

PTO/SB/21 (03-03)

Approved for use through 04/30/2003 OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/035,708	
	Filing Date	December 21, 2001	
	First Named Inventor	Mercure	
	Art Unit	1771	
	Examiner Name	U Ruddock	
Total Number of Pages in This Submission	2	Attorney Docket Number	41836-00055USC1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to the Appeal Notice Brief Reply <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	J. Benjamin Bai, Ph. D., Jenkins & Gilchrist, 1100 Louisiana, Suite 1800, Houston, TX 77002
Signature	<i>CM Pielech #46991 w/ permission</i>
Date	7/23/03

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22315-1450 (MS AF) 7/23/03	
Typed or printed	Gwen J. Landry
Signature	<i>Gwen J. Landry</i>
Date	7/23/03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

OFFICIAL

## Jenkins &amp; Gilchrist

A PROFESSIONAL CORPORATION

1100 LOUISIANA  
SUITE 1800  
HOUSTON, TEXAS 77002(713) 951-3300  
FACSIMILE (713) 951-3314

www.jenkins.com

AUSTIN, TEXAS

CHICAGO, ILLINOIS

DALLAS, TEXAS

LOS ANGELES, CALIFORNIA

NEW YORK, NEW YORK

PASADENA, CALIFORNIA

SAN ANTONIO, TEXAS

WASHINGTON, D.C.

FROM THE DESK OF:  
Constance M. Pielech  
(713) 951-3306

## RECIPIENT

1 TC 1700 After Final

## COMPANY

USPTO

## FAX NO.

703-872-9311

## PHONE NO.

39603

FAX RECEIVED  
JUL 24 2003  
GROUP 1700

• MESSAGE •

Notice of Appeal

NOTICE OF CONFIDENTIALITY

The information contained in and transmitted with this facsimile is

1. SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE;
2. ATTORNEY WORK PRODUCT; OR
3. CONFIDENTIAL.

It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is *unauthorized and strictly prohibited*. If you have received this facsimile in error, please notify Jenkins & Gilchrist, a professional corporation by telephone at (713) 951-3300 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U S Mail, or if authorization is granted by the sender, destroyed.

Time: 11:32 AM

Date: July 23, 2003

Emp #: 4941

Billing #: 00055USC1

41836-

Total Pages (+ Cover): 3

PTO/SB/31 (08-03)

03/20/03 0851-0037

Approved for use through 07

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>41836-00055USC1</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 (MS AF) on <b>7-23-03</b>		In re Application of <b>Mercure, et al</b>	
Signature <i>Gwen Landry</i>		Application Number <b>10/036,708</b>	Filed <b>December 21, 2001</b>
Typed or printed name <b>Gwen Landry</b>		For <b>Reinforced Shrink Wrap and Method of Manufacture</b>	
		Art Unit <b>1771</b>	Examiner <b>L. Ruddock</b>

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 320.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ \_\_\_\_\_

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **10-0447** (41836-00055USC1-BA1). I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor  
**00000001 100447 10036708**

☐ assignee of record of the entire interest.  
**320.00** 37 CFR 3.71. Statement under 37 CFR 3.73(p) is enclosed (Form PTO/SB/98)

☒ attorney or agent of record.  
Registration number **43,481**

☐ attorney or agent acting under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

Signature *CM Pielech #46991*  
for **J. Benjamin Bai, Ph.D** w/ permission  
Typed or printed name  
Telephone number **713-951-3387**

Date **July 23, 2003**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below

☒ Total of 1 forms are submitted

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2